

10/08/99 16685 U.S. PTO

REQUEST FOR FILING A PATENT APPLICATION UNDER 37 C.F.R. §1.53(b)

Attorney Docket: 147/37315CP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box PATENT APPLICATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is a request for filing a divisional application under 37 C.F.R. 1.53(b), of pending prior application:

Serial No. 08/922,635
Filed on 09/03/97
Of John E. PILETZ et al.
Entitled: DNA MOLECULES ENCODING IMIDAZOLINE
RECEPTIVE POLYPEPTIDES AND POLYPEPTIDES ENCODED THEREBY
Examiner: E. Lazar-Wesley
Group: 1646
Batch No: W07

X 1. Accompanying this order is a true copy of the prior application as originally filed which includes a specification of 99 pages, 36 claims and 6 sheets of drawings of Figures 1-6.

X 2. New Formal drawings are being filed herewith consisting of 2 sheet(s), depicting Figures 6A-6B.

X 3. Declaration and Power of Attorney:

a. Newly executed (original or copy)

b. X Copy from prior application. Also attached is a copy of the Substitute Power of Attorney which was filed on July 22, 1999 in prior application Serial No. 08/922,635.

i. Deletion of Inventors - signed statement attached deleting inventor(s) named in the prior application

X 4. Incorporation by Reference:

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 3b, is considered as being part of the disclosure of the accompanying

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application and is hereby incorporated by reference therein.

- X 5. Cancel original claims ~~1-15 and 25-26~~.
6. Small entity status:
- a. A small entity statement is enclosed
- b. A statement of small entity status (copy attached) was filed on in the prior application and status as a small entity is still proper and desired.
- c. Is no longer claimed
- X 7. The filing fee is calculated below:

CLAIMS AS FILED, INCLUDING ANY CLAIMS
CANCELLED OR ADDED BY PRELIMINARY AMENDMENT

Basic Fee						\$ 760.00
Total Claims	<u> 23 </u>	- 20 =	<u> 3 </u>	x 9 =	\$ <u> 0 </u>	18 = \$ <u> 54.00 </u>
Ind. Claims	<u> 5 </u>	- 3 =	<u> 2 </u>	x 39 =	\$ <u> 0 </u>	78 = \$ <u> 78.00 </u>
<u> </u> Multiple Dependent Claims		+ 130 =	\$ <u> </u>	260 =	\$ <u> </u>	
		Total		\$ <u> </u>		\$ 892.00

8. Please charge my Deposit Account No. 05-1323 (Docket #) in the amount of \$.
- X 9. A check in the amount of \$ 892.00 to cover the filing fee is enclosed.
- X 10. The Commissioner is authorized to charge any fee which may be required under 37 CFR 1.16 or 37 CFR 1.17 or credit any overpayment to Deposit Account No. 05-1323 (Docket 147/37315D2).
- X 11. Amend the specification by inserting before the first line the sentence: ---This application is a division of application Serial No. 09/922,635, filed September 3, 1997, which is a continuation-in-part of application Serial No. 08/650,766, filed May 20, 1996, which is related to provisional application Serial No. 60/12,600, filed March 1, 1996, abandoned.---

____ 12. Priority of Appln. No(s). _____, filed in _____ on _____, is hereby claimed under 35 U.S.C. 119.

____ 13. A certified copy of each said priority document was filed in application Serial No. _____ on _____.

X 14. The prior application is assigned of record to The University of Mississippi Medical Center.

X 15. The Substitute power of attorney in the prior application is to:

Herbert I. Cantor, Reg. No. 24,392; James F. McKeown, Reg. No. 25,406; Donald D. Evenson, Reg. No. 26,160; Joseph D. Evans, Reg. No. 26,269; Gary R. Edwards, Reg. No. 31,824; Jeffrey D. Sanok, Reg. No. 32,169; and James M. Verna, Reg. No. 33,287

X a. The Substitute power appears in the prior application.

____ b. Since the power does not appear in the original application papers, a copy of the power in the prior application is enclosed.

____ c. Attached is a duplicate of a Supplemental Declaration which was filed in the prior application to overcome informalities.

X d. Address all future correspondence to:

J. D. Evans
EVENSON, McKEOWN, EDWARDS
& LENAHA, P.L.L.C.
1200 G Street, N.W.
Suite 700
Washington, DC 20005

X 16. Forms PTO-892 and PTO-1449 listing prior art made of record in the prior application are attached. A copy of each of the listed references should be available in the prior application file.

X 17. A Preliminary Amendment is being filed herewith.

X 18. Return Receipt Postcard.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: JOHN E. PILETZ ET AL.

Serial No.: Divisional of
08/922,635

Prior Group Art Unit: 1646

Filed: OCTOBER 8, 1999

Prior Examiner: E. Lazar-Wesley

Title: DNA MOLECULES ENCODING IMIDAZOLINE RECEPTIVE
POLYPEPTIDES AND POLYPEPTIDES ENCODED THEREBY

PROPOSED SUBSTITUTE DRAWINGS

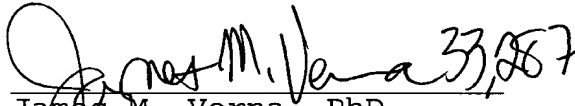
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants hereby propose to amend the application drawings
by deleting the Figure 6 originally filed with the application,
and substituting therefor the attached new Figure 6A-6B.

Respectfully submitted,

October 8, 1999


James M. Verna, PhD
Registration No. 33,287

J. D. Evans
Registration No. 26,269

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JDE:JMV:atc